

MAR 13 2013

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## SENATE CONCURRENT RESOLUTION

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AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT MANELE BAY,  
LANAI, FOR RENOVATION OF MANELE SMALL BOAT HARBOR.

1 WHEREAS, section 171-53, Hawaii Revised Statutes, requires  
2 the prior approval of the Governor and prior authorization of  
3 the Legislature by Concurrent Resolution to lease state  
4 submerged lands; and

5  
6 WHEREAS, Coon Brothers Inc. is a Hawai'i corporation that  
7 owns and operates tour boats between the islands of Maui and  
8 Lanai through three subsidiaries collectively known as Trilogy  
9 Corporation; and

10  
11 WHEREAS, Trilogy Corporation began conducting commercial  
12 operations from Manele Small Boat Harbor in 1973 in an area that  
13 was to become berth 24; and

14  
15 WHEREAS, in 1993, the Board of Land and Natural Resources  
16 and Trilogy Corporation entered into a renewable, thirty-five  
17 year lease of 18,000 square feet of undeveloped land adjacent to  
18 berth 24; and

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20 WHEREAS, Trilogy Corporation obtained the thirty-five year  
21 lease in order to construct a first class pavilion at Manele  
22 Small Boat Harbor so that passengers upon arrival from Maui  
23 would have shelter from the elements and a comfortable venue for  
24 the lunch and entertainment Trilogy Corporation provides as an  
25 integral part of its tour packages; and

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27 WHEREAS, in 2005, Coon Brothers Inc. completed a major  
28 renovation of the loading dock used by Trilogy Corporation's  
29 three vessels; and

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31 WHEREAS, the State of Hawaii and particularly those Trilogy  
32 Corporation's employees on Lanai would benefit from the



1 amendment of Boating Lease No.B-93-02 to extend its term for an  
2 additional twenty years; and  
3

4 WHEREAS, as lessee of the loading dock and appurtenant  
5 submerged lands, Trilogy Corporation would assume responsibility  
6 for maintenance and upkeep of that area and be required to pay  
7 fair market lease rent for an area badly in need of repair; now,  
8 therefore,  
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10 BE IT RESOLVED by the Senate of the Twenty-seventh  
11 Legislature of the State of Hawaii, Regular Session of 2013, the  
12 House of Representatives concurring, that the Board of Land and  
13 Natural Resources is authorized to issue a term, non-exclusive  
14 easement covering a portion of state submerged lands identified  
15 as tax map key ; and  
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17 BE IT FURTHER RESOLVED that a certified copy of this  
18 Concurrent Resolution be transmitted to the Chairperson of the  
19 Board of Land and Natural Resources.  
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OFFERED BY:

J. Lee Goh

